

PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE, WSBN 32245  
Associate General Counsel  
Office of Program Litigation, Office 7  
Social Security Administration  
MICHAEL J. MULLEN, WSBN 54288  
Special Assistant United States Attorney  
6401 Security Boulevard  
Baltimore, Maryland 21235  
Telephone: (206) 615-3703  
E-Mail: michael.j.mullen@ssa.gov

Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

IT IS STIPULATED by and between Plaintiff and Defendant, the Commissioner of Social Security, through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) for a new decision, and instruct the ALJ to offer Plaintiff the opportunity for a new administrative hearing and to re-evaluate the evidence of record. The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

**STIPULATION TO REMAND**

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2 Dated: January 19, 2024

/s/ Jonathan Omar Pena\*

JONATHAN OMAR PENA

3 Attorney for Plaintiff

4 \*Authorized via e-mail on January 19, 2024

5 PHILLIP A. TALBERT

6 United States Attorney

7 MATHEW W. PILE

Associate General Counsel

Social Security Administration

8 By: /s/ Michael J. Mullen

9 MICHAEL J. MULLEN

Special Assistant United States Attorney

10 Attorneys for Defendant

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15 **ORDER**

16 Pursuant to stipulation, this case is remanded to the Commissioner for further  
17 proceedings per sentence four of 42 U.S.C. 405(g). Judgment is directed for Plaintiff.

18 IT IS SO ORDERED.

19 Dated: January 22, 2024

20 /s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE